

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CARL G. SIMPSON AND BONNIE REED
SIMPSON, CO-ADMINISTRATORS OF
THE ESTATE OF CARL D. SIMPSON

CASE NO.: 1:00-cv-14

PLAINTIFFS

JUDGE BERTELSMAN

VS.

INTERMET CORPORATION, ET AL.

DEFENDANTS

MOTION FOR LEAVE TO FILE
A SUPPLEMENTAL COMPLAINT WITH JURY DEMAND
AS AGAINST NATIONAL UNION FIRE INSURANCE CO.

Now come Plaintiffs, Carl G. Simpson and Bonnie Reed Simpson, Co-Administrators of the Estate of Carl D. Simpson, (hereinafter referred to as "Simpsons"), in their Motion for Leave to file a Supplemental Complaint as Against National Union Fire Insurance Company. A memorandum is attached hereto and incorporated by reference. A copy of the complaint has been filed electronically and has a docket number of 95.

Respectfully Submitted,

LAMBERT, McWHORTER & BOWLING

/s/ D. Scott Bowling
D. SCOTT BOWLING (0067617)
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Memorandum in Support

Defendant Ironton Iron/Intermet (hereinafter "Intermet") and Plaintiffs have entered into a settlement agreement resolves the claims before this Court. Part of the

Settlement involves assigning Intermet's rights and claims against one of its insurance company that has denied coverage.

Ohio law provides that such a claim be brought herein the pending case. For these reasons, Plaintiffs request the Court's permission for Leave to File the Supplemental Complaint, being document number 95.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was filed on this the 15th day of September 2004 by electronic filing to the United States District Court, Southern District of Ohio.

LAMBERT, McWHORTER & BOWLING

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